

**Spencer Town Council Regular Meeting  
January 22, 2013 at 7p.m  
Municipal Building  
90 N. West Street  
Spencer, IN 47460**

Board Members present: Cynthia Hyde, Jon Stantz, and Dean Bruce

Also present: Clerk-Treasurer Cheryl Moke, Attorney Richard Lorenz, Chief Marshal Richard Foutch, Sewer Superintendent John Hodge, Michael Stanley,

**MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG**

**IN THE MATTER OF APPROVAL OF MINUTES FOR December 21st, 2012 REGULAR MEETING**  
Dean Bruce made a motion to accept the minutes as presented, seconded by Jon Stantz and passed 3-0.

**IN THE MATTER OF PUBLIC ISSUES**

Pat Hill requested a sewer adjustment. It was determined that the water leak that occurred, went through the sewer system and therefore did not qualify for a leak adjustment. She was requesting an adjustment due to hardship. The Board agreed to take another look at the circumstances and make a decision at the next meeting.

P.J. Bennett, with the Art Guild was present to inform the Board that they intended to have an Art Fair every Saturday in conjunction with the Farmers' market. It would be held on their property, and they do not require any traffic control. She also mentioned that traffic along Cooper needs better control. Richard Foutch stated he would step up patrols of that area. P.J. Bennett requested that they be allowed to use the vacant property behind them, for overflow parking. The Board informed her, they could not give permission until they have clear title to the property.

Next up, Matt Sward with SIDC, presented Resolution 2013-2, Authorizing Application Submission and Local Match Commitment for grand funding to address a comprehensive master park plan study. As part of this grant, the Town of Spencer has committed to matching local funds in the amount of \$1,670.00 from the EDIT fund. This commitment is contingent upon receipt of CDBG funding from OCRA.

**Dean Bruce made a motion to authorize the signing of Resolution 2013-2 and matching funds for the application of the Planning Grant. The motion was seconded, and passed 3-0.**

Next, Matt Sward presented a revised Fair Housing Ordinance which will be required in order to receive grant monies in the future. The change is in definitions of "family" in order to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin.

**Dean Bruce made a motion to authorize signing the General Ordinance #2013-01, Town of Spencer Fair Housing Ordinance. The motion was seconded, and passed 3-0.**

In the matter of Economic Development, Denise Shaw reported that there would be a work session scheduled for January 29<sup>th</sup> for the Sewer Task Force. Town board members, and county council commissioners will be included in this meeting, where the engineers will present an update.

Next, Denise presented an agreement between the Owen County Economic Development and the Town of Spencer. This agreement is to solidify the already existing relationship between the two entities. It is under review by the Attorney to be signed and a future meeting.

Next, Denise Shaw said that she has had a number of inquiries regarding sewer add-ons to the new extension. She would like the board to consider how to handle these inquiries in the future.

**IN THE MATTER OF THE POLICE DEPARTMENT**

Officer Richard Foutch said he was working with Attorney Richard Lorenz on an agreement whereby the police officers work at the schools on their days off. Still to be determined is liability, and FLSA implications.

Next Foutch presented a report showing 2012 activity. Cynthia Hyde asked if he could request a report from the prosecutor's office that showed prosecution statistics.

**IN THE MATTER OF THE BUILDING DEPARTMENT**

Sheila Reeves was not present, but Anton Neff spoke to the Board on behalf of the Building Department. He mentioned that the actual spending came in under budget. He also stated that

switching to a county owned vehicle as opposed to paying mileage, resulted in an increased savings. Lastly, Anton mentioned that due to increased workload relating to the 43 project, they may plan hiring an additional part time inspector to help out.

#### **IN THE MATTER OF THE STREET DEPARTMENT**

#### **IN THE MATTER OF THE SEWER DEPARTMENT**

John Hodge updated the Board on the Sewer Department. He reported, as a result of the flooding, there was a major issue with infiltration on the line on East Street between Franklin and Cooper. He received a quote from Insituform for “Clean and TV 15-Inch Pipe” to assess the situation in the amount of \$9,350.00.

**Dean Bruce made a motion to approve the proposal from Insituform in the amount of \$9,350. It was seconded and passed 3-0.**

#### **IN THE MATTER OF PLANNING & ZONING**

Zoning and Planning Board members were present for the purpose of discussing future meetings, how meeting dates are communicated, and whether or not the members want to continue in their present positions. Richard Lorenz stated that he would be sending out a letter to all members, asking them to respond. The first step, he said, is to approve appointments for 2013 first, and allow the members to respond in writing, as to whether they want to continue in that capacity.

**Dean Bruce made a motion to approve members for 2013 for the Planning Commission as follows: Shelley Edwards, Daniel Browning, Cynthia Hyde, Tony Stevens, Tom Atkinson, Larry Parrish, and Lawrence Hunter. For the Zoning Board, the following members to be approved for 2013 are: Daniel Browning, Tom Atkinson, Pansy White, Pat Powell, and Lew Moke. The motion was seconded and passed 3-0.**

#### **IN THE MATTER OF THE ATTORNEY**

Richard Lorenz presented a proposed ordinance that was originally proposed in early 2011. This Ordinance relates to travel emergencies due to snow and other weather conditions. He asked that the board review it, and consider it at the next meeting. Cynthia Hyde mentioned that one item that should be added is related to business owners and private contractors' responsibility for removing snow, and not pushing it into the streets.

#### **IN THE MATTER OF OLD BUSINESS**

Cynthia Hyde said she has scheduled a seminar related to Identity Theft, presented by the State Attorney General's office for Monday, March 18<sup>th</sup>, 6 p.m. prior to the regular council meeting.

Jon Stantz presented the signed Resolution 2012-6 for adopting the notice provisions of the Americans with Disabilities Act, which was approved at a special meeting held on December 26<sup>th</sup>, 2012. The resolution will need to be published and publicly posted. Richard Lorenz stated that the Resolution goes into effect at the time of publication.

Jon Stantz stated that all the preliminary work related to the Safe Routes to Schools program is complete. The date for bid approvals is April 13, and scheduled construction is to begin a week after school is out. The work is for sidewalks and curbs from Fletcher to Washington.

He also discussed the reconstruction of Morgan Street, scheduled to begin sometime in 2016. He said the State plans on Morgan Street being one way, and Franklin Street being one way in the opposite direction. He also stated that truck traffic will be prohibited, except for local deliveries.

#### **IN THE MATTER OF NEW BUSINESS**

The Clerk Treasurer stated that INDOT recommended that because of our pool size, we join a consortium pool.

**Jon Stantz made a motion to join the consortium for drug testing as proposed by Midwest Toxicology. It was seconded and passed 3-0.**

#### **IN THE MATTER OF CLAIMS**

Claims were presented for approval.

**Dean Bruce made a motion to approve the claims as presented. It was seconded and passed 3-0.**

#### **IN THE MATTER OF ADJOURNMENT**

Dean Bruce motioned to adjourn at 9:15 p.m.

Attest:\_\_\_\_\_

Cheryl Moke, Clerk-Treasurer